



Entered on Docket
January 24, 2011

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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Attorneys for Secured Creditor WELLS FARGO BANK, N.A. ALSO KNOWN AS
WACHOVIA MORTGAGE, A DIVISION OF WELLS FARGO BANK, N.A,
AND FORMERLY KNOWN AS WACHOVIA MORTGAGE FSB,
FORMERLY KNOWN AS WORLD SAVINGS BANK, FSB

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

ENRIQUE J DRACK AND MARISOL B
DRACK,

Debtor(s).

Bankruptcy Case No. Bk-S-10-27538-mkn
Chapter 7

WELLS FARGO BANK, N.A. ALSO
KNOWN AS WACHOVIA MORTGAGE,
A DIVISION OF WELLS FARGO BANK,
N.A, AND FORMERLY KNOWN AS
WACHOVIA MORTGAGE FSB,
FORMERLY KNOWN AS WORLD
SAVINGS BANK, FSB'S ORDER
TERMINATING AUTOMATIC STAY
Date: January 12, 2011
Time: 1:30 p.m.

1 A hearing on Secured Creditor Wells Fargo Bank, N.A. also known as Wachovia
2 Mortgage, a division of Wells Fargo Bank, N.A, and formerly known as Wachovia Mortgage
3 FSB, formerly known as World Savings Bank, FSB's Motion for Relief From the Automatic
4 Stay came on regularly for hearing in the United States Bankruptcy Court before the Honorable
5 Mike K. Nakagawa, Matthew M. McArthur appearing on behalf of Secured Creditor.

6 The court having duly considered the papers and pleadings on file herein and
7 being fully advised thereon and finding cause therefor:

8 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

9 The automatic stay of 11 United States Code section 362 is hereby immediately
10 terminated as it applies to the enforcement by Movant of all of its rights in the real property
11 under the Note and Deed of Trust encumbering the real property commonly known as 5337
12 Smoke Ranch Rd, Las Vegas, Nevada 89108-3532 ("Real Property"), which is legally described
13 as:

14 LOT ONE (1) OF THAT CERTAIN PARCEL
15 MAP IN FILE 36 OF PARCEL MAPS, PAGE 3,
16 IN THE OFFICE OF THE COUNTY RECORDER
17 OF CLARK COUNTY, NEVADA, AND
18 RECORDED OCTOBER 20, 1981 IN BOOK 1478
AS DOCUMENT NO. 1436880 OF OFFICIAL
RECORDS.

19 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant and/or
20 its foreclosure trustee shall mail written notice of the time, date and place of the foreclosure sale
21 of the Real Property to the Debtor(s) at the address for the Real Property at least 7 calendar days
22 prior to the foreclosure sale. In the event that Movant and/or its foreclosure trustee provides at
23 least 7 calendar days' advance notice of the time, date and place of the foreclosure sale of the
24 Real Property in compliance with the notice requirements set forth in Chapter 107 of Nevada
25 Revised Statutes, those notices shall be sufficient to satisfy the requirement of this Court to
26 provide 7 days' notice to the Debtor(s).

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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may
2 offer and provide Debtors with information re: a potential Forbearance Agreement, Loan
3 Modification, Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and
4 may enter into such agreement with Debtors. However, Movant may not enforce, or threaten to
5 enforce, any personal liability against Debtors if Debtors' personal liability is discharged in this
6 bankruptcy case.

7 APPROVED/DISAPPROVED

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DAVID A. ROSENBERG
10 TRUSTEE

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In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

☐ Approved.

☐ Disapproved.

☒ Failed to respond. - Trustee

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Submitted by:

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